

Appl. S.N. 10/617,543
Amdt. Dated 01/04/2006
Reply to Office Action of 10/04/2005

124387-1

REMARKS/ARGUMENTS

This amendment is responsive to the Office Action mailed Oct. 4, 2005 wherein claims 1, 3, 6, 7, 9, 10, 11 and 13 were rejected under 35 USC §103 (a) as being unpatentable over Bartzokis et al. (US 5,322,682) in view of Jesmanowicz et al. (US 5,603,322); and claims 4, 5, 14 and 15 were rejected under USC §103 (a) as being unpatentable over Bartzokis et al. (US 5,322,682) in view of Jesmanowicz et al. (US 5,603,322) and in further view of Jesmanowicz et al. (US 6,294,972). In this amendment, claims 1 and 9 have been amended. No new matter has been added.

Claims 1-15 remain pending in this application. Reconsideration in light of the above amendments and following remarks is respectfully requested.

Independent claims 1 and 9 have been amended to more clearly recite the invention and now each recite acquiring magnetic resonance images "at the substantially high magnetic field strength".

Applicants respectfully traverse the rejection of claims 1, 3, 6, 7, 9, 10, 11 and 13 under 35 USC 103(a) over Bartzokis et al. in view of Jesmanowicz et al. ('322 patent) and further respectfully traverse the rejection of claims 4, 5, 14 and 15 further in view of Jesmanowicz et al. ('972 patent). In order to establish a *prima facie* case of obviousness, there must be some teaching, suggestion or motivation to combine or modify the applied references. Applicants' interpret the Office Action as stating the proposed modification or combination is the method of measuring iron from Bartzokis with the pulse sequences of the Jesmanowicz references. However, Applicants' respectfully submit that the proposed combination is not suggested or taught by the applied references and therefore a *prima facie* case of obviousness has not been established.

Applicants' independent claims 1 and 9 each recite acquiring magnetic resonance (MR) images at the substantially high magnetic field strength to create a magnetic field map and characterizing regions of interest using the field maps. Neither of the applied references, either alone or in combination, teach or disclose acquiring MR images at a high magnetic field strength and further do not teach acquiring said images to create a magnetic field map for use in characterizing regions of interest as particularly recited in claims 1 and 9. By contrast, the Bartzokis reference teaches taking MR images at two different field strengths and does not teach that a single high field strength could be employed. The two Jesmanowicz references do not overcome the deficiencies of Bartzokis – both references merely disclose methods for imaging the brain, however there is no teaching of the particular problem of imaging brain iron stores. A

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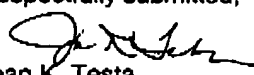
combination of the Bartzokis reference and either or both of the Jesmanowicz references would not obtain Applicants' recited invention. Further, the Bartzokis reference teaches away from Applicants' recited invention in that Bartzokis teaches a method requiring different field strengths (and therefore multiple imaging sessions) to obtain iron information. As such, Applicants respectfully submit that no reasonable combination of the Bartzokis and Jesmanowicz references would obtain Applicants' recited invention. Therefore, Applicants respectfully submit that independent claims 1 and 9, and claims depending thereon, are patentable over the Bartzokis and Jesmanowicz references.

Therefore, Applicants' respectfully submit that claims 1-15 are allowable and requests that the rejections under 35 USC §103 (a) be withdrawn.

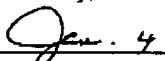
In view of the foregoing amendment and for the reasons set out above, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested.

Should the Examiner believe that anything further is needed to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below.

Respectfully submitted,


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